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Attorneys for Plaintiffs,
LOUELLA BOREN and LEROY BOREN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

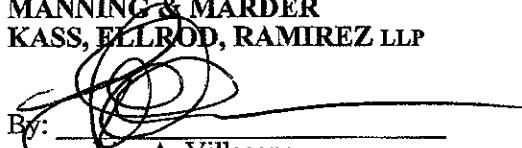
Pursuant to the good faith meet and confer between counsel for the parties, it has been agreed and a stipulation reached that the Further Settlement Conference set for August 19, 2008 be vacated and reset to allow the defense additional time to prepare further settlement authority for the conference. In the interim of the reset Further Settlement Conference, the parties will continue to negotiate informally on their own.

1 The parties have advised Chief Justice Magistrate James Larson's clerk, Wing Hom of the
2 requested continuance. The parties have been advised that Chief Magistrate Judge Larson is
3 unavailable through the end of September, and the new settlement conference date will be set after
4 September 30, 2008. Defense counsel will contact Deputy Clerk Venice E. Thomas upon her return
5 on Monday, August 18, to obtain a mutually available date for the conference.

6 SO STIPULATED and respectfully submitted,

7 Dated: August 15, 2008

MANNING & MARDER
KASS, ELLROD, RAMIREZ LLP

8 
9 By: _____ Lisa A. Villasenor
10 Attorneys for Defendant,
11 J.C. PENNEY CORPORATION, INC.

12 Dated: August 15, 2008

LAW OFFICES OF
MAUREEN E. MCFADDEN

13 
14 By: _____ Maureen McFadden
15 Attorneys for Plaintiffs,
16 LOUELLA BOREN and LEROY BOREN

17 ORDER

18 **IT IS HEREBY ORDERED,**

19 1. That the Further Settlement Conference of August 19, 2008 is vacated;
20 2. That the date of the Further Settlement Conference is reset for

21 _____ , 2008

22 Dated: _____ , 2008

23 By: _____
24 Chief Magistrate Judge James Larson

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CERTIFICATION OF SERVICE

LOUELLA BOREN AND LEROY BOREN v. J.C. PENNEY CORPORATION, INC.
United States District Court - Northern District Case No.: (C 07-03532 EDL)

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is One California Street, Suite 1100, San Francisco, CA 94111.

On the date indicated below, I served the document described as **STIPULATION OF THE PARTIES TO VACATE AND RESET FURTHER SETTLEMENT CONFERENCE AND [Proposed] ORDER THEREON** on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as follows:

Maureen E. McFadden, Esq.
Law Offices of Maureen E. McFadden
819 Bancroft Way
Berkeley, CA 94710
Phone: (510) 845-5203
Fax: (510) 868-0976

Attorney for Plaintiffs
LOUELLA BOREN and LEROY BOREN

(BY MAIL) I caused such envelope to be deposited in the mail at San Francisco, California. The envelope was mailed with postage thereon fully prepaid.

I placed such envelope with postage thereon prepaid in the United States mail at San Francisco, California.

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(BY OVERNIGHT COURIER): I placed the above-referenced document(s) in an envelope for collection and delivery on this date in accordance with standard overnight delivery procedures.

(BY FACSIMILE) I telecopied such document to the offices of the addressee at the following fax number:

(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the
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(STATE) I declare under penalty of perjury under the laws of the State of California that

(FEDERAL) I declare that I am employed in the office of a member of the bar of this court.

at whose direction the service was made.

Executed on August 15, 2008 at San Francisco, California.

Carlos Rios